Acknowledgment and Notice of Acknowledgment of Acceptance of R.S. 2477 Right-of-Way Grant Ent 106938 Bk 128 Pg 40
Date: 16-JUN-2008 1:32PM
Fee: None
Filed By: RC
SHANE A. MILLETT, Recorder
PIUTE COUNTY CORPORATION
For: GOVERNOR OF THE STATE OF UTAH

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Piute County as it pertains to the highway located in Piute County known as MARYSVALE TOWER ROAD; County Road Number: PCRD97A; State Geographic Information Database (SGID) Road Identification Number: RD160097. Total road length is 1.16 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at http://recorded2477roads.utah.gov.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 12th day of June, 200 6.

By the Governor's Designee

John Harja

CERTIFICATION

State of Utah) : ss County of Salt Lake)

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

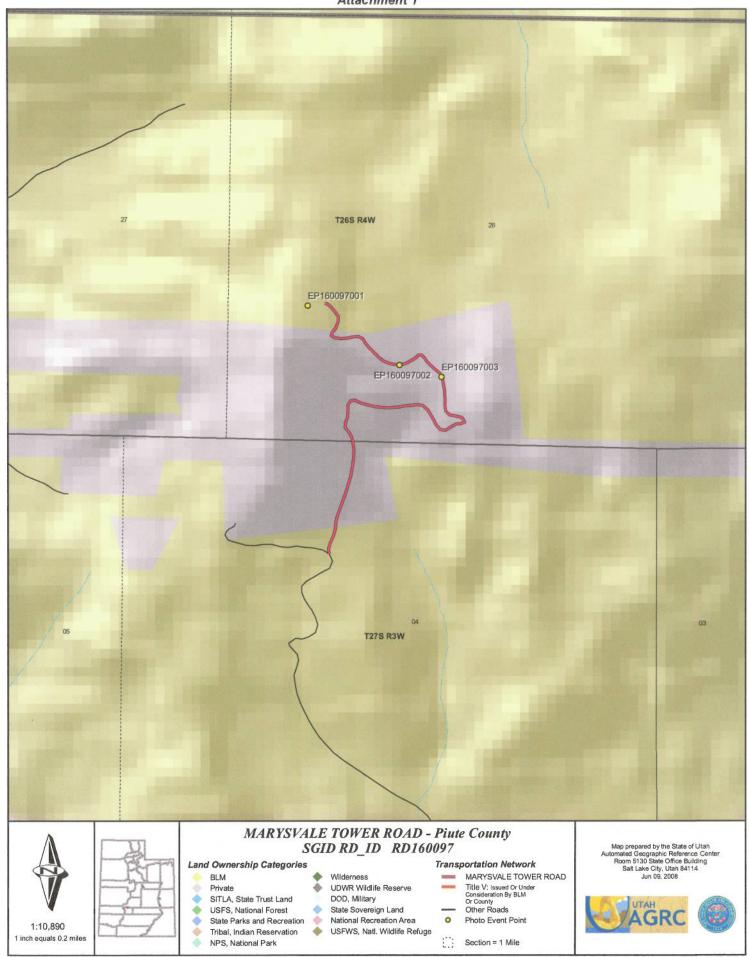
Dated this /2 day of /

_, 200

Notary Public

Notary Public
DEBORAH MONTGOMERY

5110 State Office Bldg, PO Box 142477
Salt Lake City, Utah 841114
My Commission Expires
April 24, 2012
State of Utah











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MARYSVALE TOWER ROAD - Piute County SGID RD_ID RD160097

Map prepared by the State of Utah Automated Geographic Reference Center Room 5130 State Office Building Salt Lake City, Utah 84114 June 10, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: MARYSVALE TOWER ROAD

County: Piute

County Road Number: PCRD97A

State Geographic Information Database (SGID) Road Identification Number: RD160097.

Total Road Length: 1.16 miles more or less.

Beginning at a point on the road centerline located at 38 degrees 29 minutes 50.97 seconds North Latitude and -112 degrees 12 minutes 40.25 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,436,869.0 feet and Y = 10,509,941.7 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 38 degrees 30 minutes 17.99 seconds North Latitude and -112 degrees 12 minutes 43.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,436,642.1 feet and Y = 10,512,676.5 feet based on the US Survey Foot conversion.

This road may traverse:

Township 26 South Range 4 West, Section(s) 26, Salt Lake Base & Meridian Township 27 South Range 3 West, Section(s) 4, Salt Lake Base & Meridian See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4 Road Centerline Description Cover Page(s)

Popular Name: MARYSVALE TOWER ROAD

County: Piute

County Road Number: PCRD97A

State Geographic Information Database (SGID) Road Identification Number: RD160097.

Total Road Length: 1.16 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD160097	001	BLM	0.05 Miles	A
RD160097	002	PVT	0.86 Miles	(not shown)
RD160097	003	BLM	0.1 Miles	В
RD160097	004	BLM	0.03 Miles	C
RD160097	005	PVT	0.04 Miles	(not shown)
RD160097	006	BLM	0.07 Miles	D
		Total Road Length	1.16	

^{*} Indicates that a Title V permit will be requested, is in process, or has been issued.

[†] Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF JOAN ANDERSON

MARYSVALE TOWER ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD 97A

State of Utah)	
	: ss.	
County of Piute)	

JOAN ANDERSON, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon
 my personal knowledge. I currently reside in Piute County, Utah. I have lived in Piute County
 for 72 years.
- 2. I have traveled and am familiar with a road in Piute County known as Marysvale Tower Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2007 when I last observed it.

 Attached is a Piute County map showing Marysvale Tower Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including trucks, cars, jeeps, recreational vehicles and pickup trucks. Throughout this time period, the road has been used daily, weather permitting, for more than ten continuous years prior to 1976, and was used daily, weather permitting, in 2007.

 Throughout the time period from the early 1950s to 2007, I have used the road myself for the following uses: rock hounding, hunting, photography, search and rescue and recreation.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: livestock operations, utility access and prospecting for minerals.

7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road.

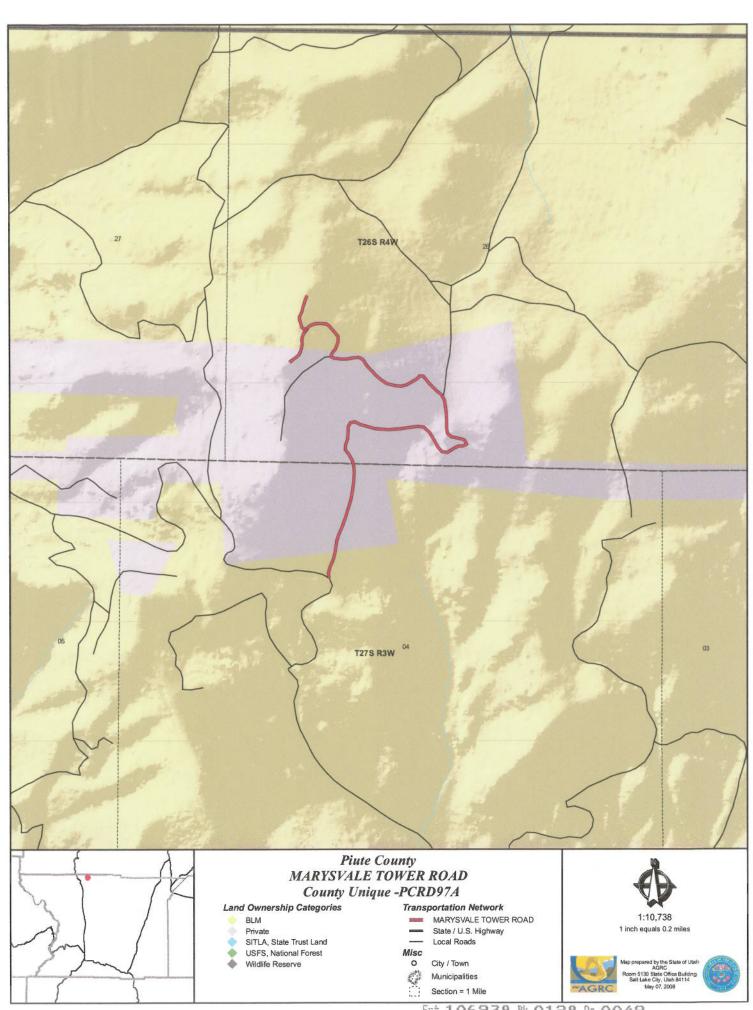
DATED this **20** day of May, 2008.

JOAN ANDERSON

SUBSCRIBED AND SWORN to before me this day of May, 2008.

Notary Public
GLORIA SCHRADER
5110 State Office Bidg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

MOTARY PUBLIC



AFFIDAVIT OF DELL NIELSEN

MARYSVALE TOWER ROAD

PIUTE COUNTY, UTAH

ROAD NUMBER PCRD97A

State of Utah)
	: ss.
County of Piute)

DELL NIELSEN, being first duly sworn, deposes and states as follows:

- I am an adult competent to testify about the matters set forth below based upon
 my personal knowledge. I currently reside in Piute County, Utah. I have lived in Piute County
 for 53 years.
- 2. I have traveled and am familiar with a road in Piute County known as Marysvale Tower Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1950s, it followed the same route as in 2008 when I last observed it.

 Attached is a Piute County map showing Marysvale Tower Road to the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.
- I am informed that the County also identifies this road according to the road number listed above.
- 4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the mid 1950s and continuing through 1976 to 2008. Throughout this time period I have observed travel on the road by various means, including cars, trucks, recreational vehicles and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2008.
 - 5. Throughout the time period from the mid 1950s to 2008, I have used the road

myself for the following uses: prospecting for minerals, trapping, wood gathering, recreation, hunting and traveling in and through the area.

- 6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: communication access, livestock operations and government access.
- 7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present, for the uses described in the previous paragraphs.
 - 8. Prior to 1976, I observed the graded surface of the road.

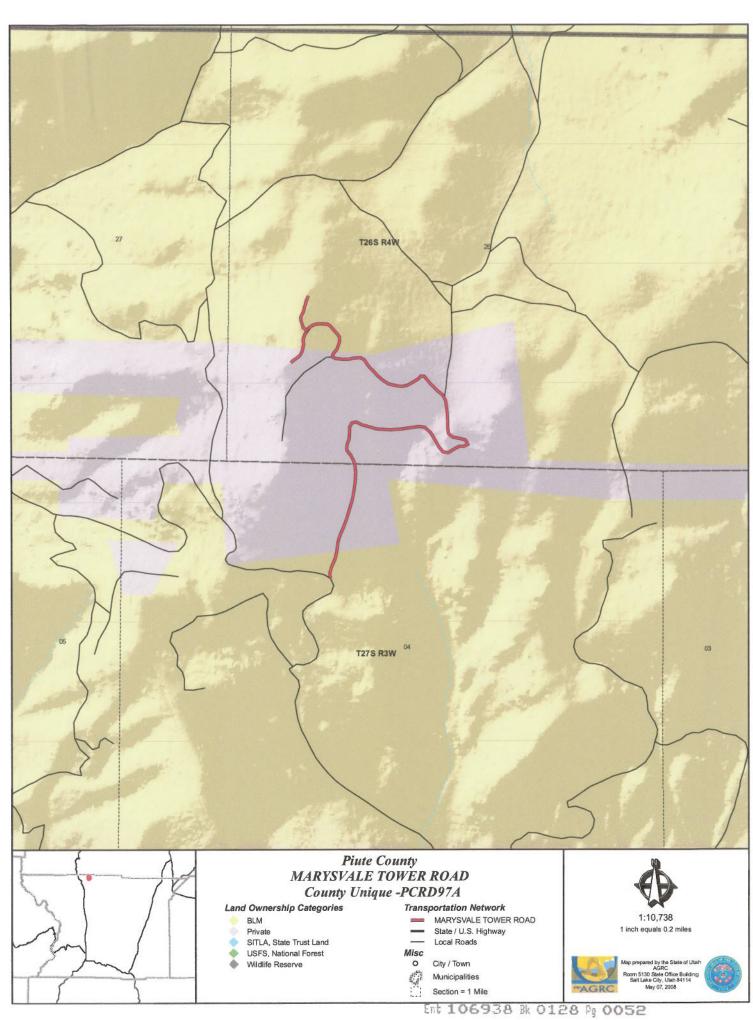
DATED this 20 day of May, 2008.

DELL NIELSEN

SUBSCRIBED AND SWORN to before me this _2016 day of May, 2008.

Notary Public
GLORIA SCHRADER
5110 State Office Bldg.
Salt Lake City, UT 84114-2477
My Commission Expires
October 10, 2008
State of Utah

NOTARY PUBLIC



Appendix A to Attachment 4

Popular Name: MARYSVALE TOWER ROAD

County: Piute

County Road Number: PCRD97A

State Geographic Information Database (SGID) Road Identification Number: RD160097.

Road-Segment Number: 001

Road-Segment Length: 0.05 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 27 South Range 3 West, Section(s) 4, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (MARYSVALE TOWER ROAD)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 29 minutes 50.97 seconds North Latitude and -112 degrees 12 minutes 40.25 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,436,869.0 feet and Y = 10.509.941.7 feet: thence the following courses along the said road center line:

thence North 08 Degrees 37 Minutes 26 Seconds West 45.4 feet thence North 12 Degrees 37 Minutes 41 Seconds East 58.6 feet thence North 23 Degrees 20 Minutes 03 Seconds East 92.4 feet thence North 14 Degrees 08 Minutes 02 Seconds East 65.7 feet

thence North 04 Degrees 26 Minutes 43 Seconds East 11.9 feet more or less to **the ending point at:** 38 degrees 29 minutes 53.57 seconds North Latitude and -112 degrees 12 minutes 39.52 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,436,928.5 feet and Y = 10,510,204.2 feet.

Appendix B to Attachment 4

Popular Name: MARYSVALE TOWER ROAD

County: Piute

County Road Number: PCRD97A

State Geographic Information Database (SGID) Road Identification Number: RD160097.

Road-Segment Number: 003

Road-Segment Length: 0.1 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 26 South Range 4 West, Section(s) 26, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (MARYSVALE TOWER ROAD)-- Segment 003 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 30 minutes 12.72 seconds North Latitude and -112 degrees 12 minutes 39.99 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,436,906.0 feet and Y = 10,512,141.7 feet; thence the following courses along the said road center line:

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thence North 37 Degrees 54 Minutes 55 Seconds East 27.6 feet thence North 19 Degrees 38 Minutes 30 Seconds East 70.2 feet thence North 01 Degrees 48 Minutes 22 Seconds West 50.6 feet thence North 34 Degrees 14 Minutes 53 Seconds West 43.5 feet thence North 41 Degrees 53 Minutes 24 Seconds West 50.4 feet thence North 42 Degrees 16 Minutes 12 Seconds West 39.3 feet thence North 56 Degrees 10 Minutes 29 Seconds West 34.5 feet thence North 82 Degrees 46 Minutes 44 Seconds West 22.5 feet thence North 87 Degrees 18 Minutes 20 Seconds West 18.7 feet thence North 85 Degrees 20 Minutes 55 Seconds West 22.7 feet thence South 84 Degrees 42 Minutes 42 Seconds West 22.7 feet
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thence South 81 Degrees 25 Minutes 19 Seconds West 20.6 feet thence South 78 Degrees 59 Minutes 48 Seconds West 17.7 feet thence South 73 Degrees 35 Minutes 26 Seconds West 17.8 feet thence South 66 Degrees 35 Minutes 05 Seconds West 24.3 feet thence South 49 Degrees 52 Minutes 33 Seconds West 17.9 feet thence South 47 Degrees 28 Minutes 27 Seconds West 19.1 feet
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thence South 35 Degrees 20 Minutes 12 Seconds West 18.6 feet more or less to **the ending point at:** 38 degrees 30 minutes 14.71 seconds North Latitude and -112 degrees 12 minutes 43.48 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,436,629.8 feet and Y = 10,512,344.6 feet.

Appendix C to Attachment 4

Popular Name: MARYSVALE TOWER ROAD

County: Piute

County Road Number: PCRD97A

State Geographic Information Database (SGID) Road Identification Number: RD160097.

Road-Segment Number: 004

Road-Segment Length: 0.03 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 26 South Range 4 West, Section(s) 26, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (MARYSVALE TOWER ROAD)-- Segment 004 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 30 minutes 14.71 seconds North Latitude and -112 degrees 12 minutes 43.48 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,436,629.8 feet and Y = 10,512,344.6 feet; thence the following courses along the said road center line:

thence South 26 Degrees 01 Minutes 55 Seconds West 39.2 feet thence South 20 Degrees 51 Minutes 26 Seconds West 39.1 feet thence South 09 Degrees 45 Minutes 43 Seconds West 30 feet thence South 03 Degrees 15 Minutes 14 Seconds East 38.4 feet

thence South 06 Degrees 14 Minutes 39 Seconds West 37.3 feet more or less to **the ending point at:** 38 degrees 30 minutes 12.95 seconds North Latitude and -112 degrees 12 minutes 43.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,436,591.8 feet and Y = 10,512,167.8 feet.

Appendix D to Attachment 4

Popular Name: MARYSVALE TOWER ROAD

County: Piute

County Road Number: PCRD97A

State Geographic Information Database (SGID) Road Identification Number: RD160097.

Road-Segment Number: 006

Road-Segment Length: 0.07 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 26 South Range 4 West, Section(s) 26, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (MARYSVALE TOWER ROAD)-- Segment 006 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 38 degrees 30 minutes 14.71 seconds North Latitude and -112 degrees 12 minutes 43.48 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,436,629.8 feet and Y = 10,512,344.6 feet; thence the following courses along the said road center line:

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thence North 63 Degrees 45 Minutes 12 Seconds West 27.9 feet thence North 38 Degrees 49 Minutes 08 Seconds West 18.5 feet thence North 18 Degrees 45 Minutes 12 Seconds West 42.5 feet thence North 15 Degrees 34 Minutes 24 Seconds West 22.5 feet thence North 10 Degrees 19 Minutes 34 Seconds West 34 feet thence North 27 Degrees 48 Minutes 46 Seconds East 37.6 feet thence North 23 Degrees 38 Minutes 38 Seconds East 29.1 feet thence North 12 Degrees 12 Minutes 37 Seconds East 39.3 feet thence North 15 Degrees 32 Minutes 50 Seconds East 32.4 feet thence North 18 Degrees 37 Minutes 41 Seconds East 23.2 feet thence North 19 Degrees 01 Minutes 33 Seconds East 32.7 feet
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thence North 20 Degrees 45 Minutes 55 Seconds East 29.2 feet more or less to the ending point at: 38 degrees 30 minutes 17.99 seconds North Latitude and -112 degrees 12 minutes 43.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,436,642.1 feet and Y = 10,512,676.5 feet.